

District Court, Boulder County, Colorado Court Address: 1776 6 th Avenue Boulder, CO 80306	DATE FILED: March 23, 2021 3:31 PM FILING ID: 2FF4EB48AC6EC CASE NUMBER: 2021CR497
THE PEOPLE OF THE STATE OF COLORADO v. Ahmad Alissa, Defendant.	♦ COURT USE ONLY ♦
Megan Ring, Colorado State Public Defender Kathryn Herold #40075 Supervising Deputy State Public Defender Sam Dunn #46901 Senior Deputy Public Defender Boulder Regional Public Defenders 2555 55TH Street D-200, Boulder, CO 80301 Phone: (303) 444-2322 Fax: (303) 449-6432 E-mail: boulder.defenders@state.co.us	Case No. 21CR497 Division 13
MR. ALISSA'S OBJECTION TO EXPANDED MEDIA COVERAGE (D-012)	

Ahmad Alissa informs this Court that he objects to the request for expanded media coverage filed by various media outlets in this case. As grounds therefore, Mr. Alissa states:

1. Mr. Alissa's case has been direct filed into district court.
2. Media outlets have requested Expanded Media Coverage of Mr. Alissa's arraignment, including audio and video recording.
3. Media coverage of court proceedings is governed by Rule 2 of the Colorado Rules governing Public Access to Records and Information. The Rule does not specifically allow for expanded media coverage for advisements and arraignments, but rather gives the Court factors to be considered if there is such a request. Colo. R. Pub.Acc.Rec. & Info. Rule 2.
4. Pursuant to Rule 2, "in determining whether expanded media coverage should be permitted, a judge shall consider the following factors:
 - (A) Whether there is a reasonable likelihood that expanded media coverage would interfere with the rights of the parties to a fair trial;
 - (B) Whether there is a reasonable likelihood that expanded media coverage would

unduly detract from the solemnity, decorum, and dignity of the court; and

- (C) Whether expanded media coverage would create adverse effects which would be greater than those caused by traditional media coverage." Colo. R. Pub.Acc.Rec. & Info. Rule 2(a)(2).
- 5. Expanded media coverage would interfere with Mr. Alissa's rights to a fair trial.
- 6. Expanded media coverage would unduly detract from the solemnity, decorum, and dignity of the Court.
- 7. Expanded media coverage would create adverse effects that would be greater than those caused by traditional media coverage. Mr. Alissa is not objecting to traditional media coverage.
- 8. Expanded media coverage would prejudice Mr. Alissa in the following ways:
 - (A) Video coverage of Mr. Alissa in custody, handcuffed, and in protective clothing are inherently prejudicial and unnecessary. Such images are often used over and over by media outlets in portraying a person accused of crimes. Once those video images are captured, or audio recordings are created, Mr. Alissa has little to no recourse in how media outlets use those images. The repeated use of media to portray Mr. Alissa as a person too dangerous to be at liberty, without shackles, and in clothing of his own prejudices him to a substantial degree, and risks poisoning the potential jury pool. Considering the almost unfettered use of such media once it is captured by a media outlet, Mr. Alissa cannot receive due process and a fair trial if the Court allows expanded media presence and coverage.
 - (B) Public display of Mr. Alissa's voice, size, face, demeanor, and other attributes of his physical appearance is similar in the nature to a "show up." In considering these issues with the information contained in the affidavit, it is possible this could taint witness testimony during proceedings in this matter, including trial. Public display of his voice, size, face, demeanor and other attributes will not enhance the newsworthiness of this story nor will it impact the information made available to the public. Non-expanded, traditional media coverage is sufficient for advisement and arraignment.
 - (C) Allowing expanded media coverage would place Mr. Alissa in the position of potentially needing to request other remedies to protect his right to a fair trial such as closure of hearings, change of venue, etc. At this stage of the proceedings, a show-up situation involving Mr. Alissa is tremendously prejudicial.
 - (D) There has already been significant media coverage in Mr. Alissa's case. Local and state media have covered this as a leading and top story on the various outlets (television, print, internet, etc.). National media outlets have also covered this incident to an extensive degree, and have treated this as a leading, national news story. The media is covering several aspects of this story, which suggests that when audio and video of Mr. Alissa is captured, if allowed, it will be widely-distributed, only furthering the prejudice Mr. Alissa faces at a jury trial. This unusual amount of information has the potential to create additional prejudice against Mr. Alissa and to violate his legal rights in this case.

WHEREFORE, it is respectfully requested that this Court deny all media outlets' Requests for Expanded Media Coverage.

Respectfully Submitted,

MEGAN A. RING
COLORADO STATE PUBLIC DEFENDER

/s/ Kathryn Herold

Kathryn Herold #40075
Supervising Deputy State Public Defender

/s/ Sam Dunn

Sam Dunn #46901
Senior Deputy State Public Defender

Certificate of Service

I hereby certify that on March 23, 2021, I served the foregoing document by E filing same to all opposing counsel of record.

/s/ Sam Dunn

Dated: March 23, 2021